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Interim Control of Lead Paint Hazards

UMASS/AMHERST



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A Step-by-Step Guide

for

Property Owners

GOVERNMENT DOCUMENTS
COLLECTION

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Massachusetts Department of Public Health

Childhood Lead Poisoning Prevention Program (CLPPP)

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The Purpose of This Booklet

This booklet explains interim control, a new option for complying with the Massachusetts Lead Law.

The Massachusetts Lead Law requires the lead paint hazards in homes built before 1978 to be corrected when any child under the age of six years lives there. In the past lead paint hazards had to be deleaded immediately and permanently for full compliance.

Beginning in the summer of 1995, property owners may choose instead to bring their homes under interim control. Property owners will have the option of making some lower-cost repairs necessary to correct urgent lead paint hazards in the home and protect occupants from lead poisoning until the home is fully deleaded.

Well-maintained homes may require little or no work to get interim control status. Property owners then have up to two years before they have to have the home deleaded for full compliance, while being free from strict liability under the Lead Law should a child in the home become lead-poisoned. However, property owners still have a legal responsibility to maintain their properties.

This booklet describes how a home is checked for interim control and what work property owners may have to do before they can bring the home under interim control.

The booklet also explains how a home under interim control must be maintained until it is deleaded for full compliance by the end of the two-year period.

The Problem of Lead Paint in Housing

Housing units built before 1978 are likely to have lead paint on the inside and on the outside of the structure.

When old lead paint cracks or peels, it can create lead paint chips and lead dust. When children swallow lead paint chips or lead dust, they may become poisoned.

Even low-level lead poisoning can slow a child's development as well as cause learning and behavior problems. Children under the age of six are at the greatest risk. Older children and adults can also suffer from lead poisoning.

In the past both children and adults have been poisoned by improper renovation and illegal deleading. It is important to be safe when working with lead-painted surfaces.



Part I: Getting A Letter of Interim Control

Evaluating A Home for Interim Control

A property owner interested in interim control hires a licensed risk assessor to evaluate the home for urgent lead paint hazards. Risk assessors are specially trained licensed lead inspectors who check the home to help decide what repairs may be necessary to correct the worst lead paint hazards. These hazards are conditions that pose the greatest threat of poisoning to young children.

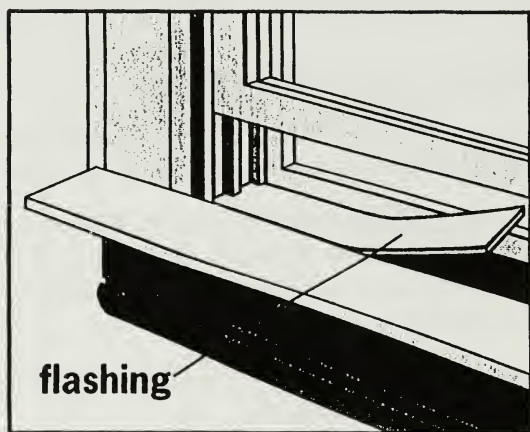
This evaluation is called a risk assessment. The risk assessor performs a lead inspection, unless one has recently been performed, and checks to see where the worst lead hazards are and how they can be corrected.

What Conditions Must A Home Meet?

- Surfaces with peeling, chipping or flaking lead paint, putty or plaster must be intact or made intact by a licensed deleader
- Badly deteriorated surfaces with lead paint that cannot be repaired must be deleaded at once. Deleading means removing the paint or covering, encapsulating, or replacing a building component
- Lead dust must be cleaned up so that the home meets acceptable lead dust standards
- Water leaks and other structural defects (such as rot) that have caused surfaces with lead paint to peel, crack or flake must be repaired

Leaded windows receive special treatment because they are the single most common building component that put young children at risk of lead poisoning:

- Windows that do not work must be fixed to be in good working condition
- If any part of the window has lead paint, the window well must be covered with a tightly fitted flashing to make it easy to clean, unless the well is already smooth and cleanable
- If any lead paint chips, flakes or putty fall from a window sash as a risk assessor opens and closes it, the entire window must be deleaded
- An interior window sill found to have any peeling or chipping lead paint must be deleaded



If a home is in good shape at the time of the risk assessment and none of these conditions are apparent, the property owner can ask the risk assessor to take dust wipe samples during the risk assessment to avoid having the risk assessor return. The purpose of dust wipe samples is to make sure there are no dangerous levels of lead dust present in the home. If the dust lead levels are acceptable, the risk assessor can send the owner the Letter of Interim Control by mail without revisiting the property.

Who Can Do Any Required Work?

Type of Work	Description of Work	Worker
Deleading (other than Low-Risk Deleading) and Cleanup	<ul style="list-style-type: none"> • remove lead paint, plaster or putty • make surfaces with chipping or peeling lead paint intact • remove components with lead paint (except doors, cabinet doors and shutters) 	Licensed deleader (Remember: A licensed deleader must do this work for a risk assessor to issue a Letter of Interim Control)
Low-Risk Deleading and Cleanup	<ul style="list-style-type: none"> • remove or replace doors, cabinet doors and shutters • encapsulate intact surfaces • cover surfaces with paneling, carpeting, metal, vinyl, Formica, plywood, or fiberglass • cap baseboards 	Property owner and/or agent who have completed CLPPP training materials: <i>Low-Risk Deleading Work by Homeowners and Their Agents</i> and Encapsulation Training Video, or licensed deleader
Structural Repairs and Cleanup Lead Dust Cleaning	<ul style="list-style-type: none"> • repair underlying structures damaged by water, rot, or other means • repair windows to working condition 	Property owner and/or agent who follow instructions in this booklet, or licensed deleader

Structural Defects

During a risk assessment, the risk assessor will look for signs of structural defects that have caused any lead paint, plaster or putty to chip, peel or flake. These defects could include the following:

- roof, soffit, flashing or gutter leaks
- plumbing leaks, including radiator leaks
- dry rot
- insect damage
- non-working windows



Is Window Replacement Considered Structural Repair?

No. Replacing lead-painted windows, even if done because the windows are defective, is a deleading activity that must be done by a licensed deleader.

Important Precautions During Structural Repair Work

Some structural repairs inside the home will disturb leaded surfaces. Removing a window sash to fix a broken weight cord or making a hole in a ceiling or wall to gain access to a plumbing pipe that has a leak may create some lead dust and debris, which can be dangerous to occupants. On the outside of the home, repairs to a roof, soffit or gutter also may create lead dust and debris.

Failure to follow proper work practices and safety precautions can cause lead dust and debris to contaminate the property as well as occupants' belongings. In addition, the people who live in the home, as well as the workers making repairs, can become lead poisoned.

Because a property owner is always under a legal responsibility to maintain the property, he or she can be exposed to liability if someone becomes lead poisoned from dust and debris created by repair work in or around the home.

Therefore, CLPPP strongly recommends hiring a properly trained and equipped contractor, including a licensed deleader, if there are substantial structural repairs to be made that will disturb lead-painted surfaces. Remember, any peeling, chipping or flaking lead paint caused by structural defects must be made intact by a licensed deleader.

Structural repairs in general are best done by people with previous experience and adequate skills. Property owners making structural repairs on their homes must follow the directions in this booklet. A contractor or employee doing structural repairs that disturb lead-painted surfaces must also follow the requirements of Massachusetts Department of Labor and Industries' regulations governing renovations that disturb lead-painted surfaces (454 CMR 22.11), and federal Occupational Safety and Health Administration lead in construction regulations (29 CFR 1926.62).

The Work Area

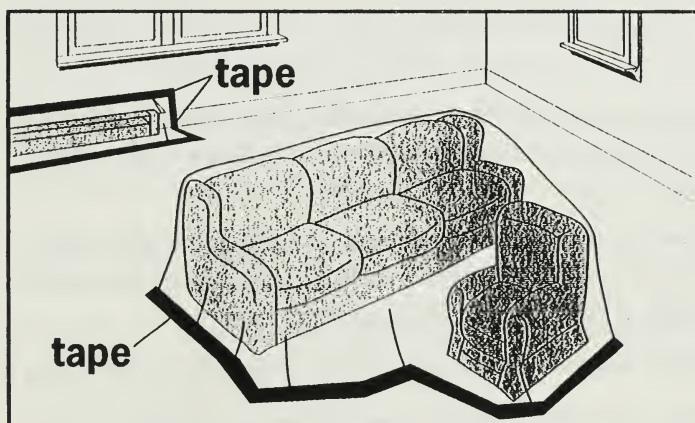
- Keep all non-workers (especially children and pregnant women) out of the work area
- The work area is the entire room in which work takes place. In a common area or hallway, or outdoors, the work area includes up to 10 feet on either side of the place where work takes place

For Personal Protection

- Avoid use of power tools, which will create more lead dust
- Wear goggles to protect eyes and gloves to protect hands. If the work is extensive, wear protective clothing and a NIOSH/MSHA approved respirator equipped with a HEPA cartridge. Dust masks do not provide adequate protection. Anyone with respiratory problems should consult a doctor
- Do not touch your face, nose or mouth when working
- Do not eat, drink, smoke, chew gum or tobacco, or apply lip balm or sunscreen while working
- Wash hands thoroughly with soap and water at the end of each work period
- Shower, wash hair and clothes at the end of the work day
- Keep work clothes separate from other laundry to keep from spreading lead dust and debris

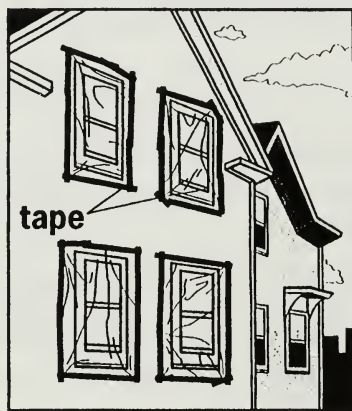
When Working Inside The Home

- Shut windows and doors to keep lead dust and debris in the work area. If there is no door, hang plastic sheeting over the doorways from ceiling to floor to prevent dust and debris from contaminating nearby rooms and spaces
- Cover heating vents and registers with thick plastic and seal with duct tape
- Shut down any ventilation systems serving the work area
- Cover the floor of the entire work area with thick plastic to catch dust and debris, and seal with duct tape
- Move furniture and belongings outside the work area. If this is impossible, cover completely with thick plastic and seal with duct tape
- Remove all food from the work area (unless it is inside a refrigerator or cupboard with doors taped shut)
- Wrap any debris with plastic and tape shut before removing from the work area



When Working Outside The Home

- Shut windows (including storms) and doors on the side where you are working to keep lead dust and debris from entering the home. For windows without storms, cover window from the outside with thick plastic and duct tape



- Protect soil, plants, permanent sandboxes and pools by covering with disposable tarps or thick plastic, extending out enough to catch all falling dust and debris
- Attach tarps or plastic to building foundation with duct tape (or nails or staples) and secure outside edges with bricks, rocks or boards
- Protect outdoor furniture and belongings by removing them from the work area and/or by covering them with thick plastic sealed with duct tape
- Move sandboxes and play equipment away from the work area
- Do not work on days with winds strong enough to blow chips and debris off plastic
- Wrap removed lead-painted gutters, roofing materials or other debris in thick plastic sealed with duct tape before taking them outside the work area

Clean Up of Lead Dust And Debris

Outdoor Cleanup

- Remove all plastic or tarps without spilling debris
- Carefully fold plastic or tarps so that debris is folded inside and seal with tape
- Do not use a broom or household vacuum cleaner to clean the debris. Using them will disperse the lead dust and contaminate the broom or vacuum
- After outdoor work, rake up any paint chips that may have landed on the ground

Indoor Cleanup

- Remove all plastic or tarps without spilling debris
- Carefully fold plastic or tarps so that debris is folded inside and seal with tape
- Do not use a broom or household vacuum cleaner to clean the debris. Using them will disperse the lead dust and contaminate the broom or vacuum
- Wet sponge or mop all surfaces exposed to dust and debris with a high-phosphate detergent like tri-sodium phosphate (TSP) or a lead-specific detergent
- Use a new disposable sponge, mop head or paper towel to clean each area
- Never put a dirty sponge, mop head or towel back into the wash water. Instead, discard them after each use, following disposal instructions below
- Rinse TSP-washed surfaces with clear, warm water and wipe dry with clean paper towels. If TSP is not rinsed off, it may leave a residual film that might be confused with lead dust upon reinspection

- If extensive structural repair work was done, CLPPP strongly recommends hiring a licensed deleader to perform a more thorough cleanup. Deleaders use a special vacuum called a HEPA vacuum, in addition to washing with TSP

Safe Disposal of Debris after Cleanup

- Double bag all debris and cleaning items, by placing them inside a plastic bag and putting that plastic bag inside another plastic bag
- Seal with tape
- Put the bags in the trash

Scheduling Work for Interim Control

Organizing work that is to be done by different people or work that involves a number of different tasks takes good communication, coordination and planning.

It is important to take care to work out timing details with any deleaders and contractors who will be involved.

For any low-risk deleading work, follow the directions and timetable in CLPPP's required training booklet, *Low-Risk Deleading Work by Homeowners and Their Agents*.

In cases where occupants are required to be relocated, finish structural repairs and lead dust cleaning before the reoccupancy reinspection.

If occupants are not relocated, structural repairs and lead dust cleaning can be done at any time before the risk assessment reinspection.

The Risk Assessment Reinspection

At the risk assessment reinspection, the risk assessor checks to make sure all urgent lead hazards recorded on the risk assessment report have been corrected.

If the property owner or agent performed any low-risk deleading or structural repairs, the property owner must give the risk assessor a signed and completed copy of the CLPPP form, Documentation of Authorized Owner/Agent Low-Risk Abatement and Containment and/or Structural Repairs. This form is available from CLPPP.

The risk assessor will also take dust wipe samples of several surfaces to test for lead dust levels. If occupants were relocated because a deleader did some high-risk deleading work, a reoccupancy reinspection will take place after the deleader has finished the work. The home must pass dust wipe testing before occupants can move back in. If more work is taking place after reoccupancy, or if there was no need for a reoccupancy reinspection, the risk assessor will perform a risk assessment reinspection when all the interim control work has been completed. The risk assessor will take dust samples at this time.

When Do I Get My Letter of Interim Control?

If the home passes both the risk assessment reinspection and the dust wipe testing, the risk assessor will send the property owner a Letter of Interim Control within 10 business days after the performance of the risk assessment reinspection and the risk assessor's receipt of all necessary documentation.

How Long Can Interim Control Last?

The original Letter of Interim Control given the property owner lasts for one year. The property owner may choose to have the Letter recertified by having the home reinspected by a risk assessor by the end of that year. If the risk assessor finds no urgent lead hazards, the Letter is recertified for one more year. By the end of the second year, the home must be deleaded for full compliance.

No home can stay under interim control for longer than two years from the date of issuance of the Letter of Interim Control, even if the home is sold or rented to someone else in the meantime.

Part II: Care of A Home under Interim Control

Monitoring A Home under Interim Control

Property owners must take extra care in monitoring a home under interim control because the home has not been permanently deleaded.

The property owner or manager should make routine visits to check that there is no new peeling or chipping paint, that all interim control repairs remain in place, and that no new structural defects have developed.

A maintenance log has been provided in this booklet for your use.

Notification of the Need for Repairs

The CLPPP brochure provided to tenants in homes under interim control contains postcards for tenants to use to report peeling and chipping paint, or water leaks to the property owner or manager.

If the property owner receives a postcard from a tenant reporting peeling or chipping paint or water leaks, the property owner has 14 days to fix the problem. If the repairs are not made in that time, tenants can use a postcard to notify CLPPP.

Remember, property owners remain under a legal responsibility to maintain the property during the time a Letter of Interim Control is in effect.

The Maintenance Log

Address:

Date Checked	Building Component or Surface	Location	Observation	Date Corrected	Correction Method

Comments:

Maintaining a Home under Interim Control

A property owner or agent may perform the work necessary to maintain the condition of the interim control. This is considered maintenance work and includes keeping lead paint intact.

However, making lead paint, plaster or putty intact should be carried out very carefully, in accordance with the instructions in this booklet.

If there is substantial peeling and chipping lead paint, or deteriorated lead plaster or putty to repair, CLPPP strongly recommends hiring a licensed deleader.

Steps to make leaded paint, plaster or putty intact

- Wet surfaces with water from a spray bottle or a sponge to reduce dust (After use, discard sponges by double bagging and putting in the trash)
- Remove chipping and peeling paint by hand scraping
- Remove loose plaster and patch holes and cracks
- Prime and repaint surfaces
- Do not use power sanders, heat guns, torches or chemical paint removers on paint or plaster known or assumed to contain lead

Safety Precautions for Making Leaded Surfaces Intact

When making lead paint, plaster or putty intact, property owners and agents must take the same precautions and follow the same work practices outlined earlier.

For work indoors:

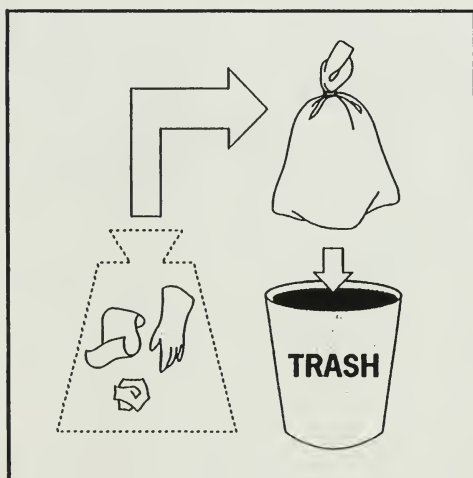
- shut windows and doors to isolate the work area
- remove furniture and belongings from the work area
- cover the floor in the work area, plus any furniture and belongings remaining in the room, with plastic
- tape all plastic down
- shut down ventilation systems
- cover vents and registers with thick plastic
- keep non-workers out of the work area
- take the personal precautions listed on page 7

For work outdoors:

- shut windows, storm windows and doors on the side of the building being worked on
- cover soil, plants and sandboxes with disposable tarps or thick plastic
- move outdoor furniture and belongings out of the work area or cover them with thick plastic and tape shut
- move play equipment and sandboxes out of the work area
- avoid working on windy days
- keep non-workers out of the area
- take personal precautions listed on page 7

To clean up:

- remove all plastic or tarps carefully, so as not to spill debris or dust
- fold debris inside and tape shut
- wet sponge and mop all surfaces exposed to lead dust and debris with a high-phosphate detergent like TSP or other lead-specific detergent
- rinse these areas with clear, warm water and wipe dry with paper towels
- do not use a broom, or household vacuum cleaner to clean up lead dust and debris
- double bag all items to be disposed of
- put in the trash



Failure To Make Repairs in Fourteen Days

It is very important for a property owner to respond right away to a report that a home may have developed a problem and no longer meets interim control requirements. The problem must be fixed within 14 days.

If repairs are not made promptly, a state or local Board of Health risk assessor will check the home. Property owners then may have to hire a licensed deleader for certain repairs, have the home deleaded for full compliance within a short time period, and face the possibility that a child may become lead poisoned.

What Happens If A Child Living in A Home under Interim Control Becomes Lead Poisoned Or at Immediate Risk of Lead Poisoning?

Keep in mind that interim control is just a temporary set of measures for making a home lead safe. Children who become lead poisoned or at immediate risk of lead poisoning must be fully protected from further exposure to lead. Therefore, in these cases the Lead Law requires that property owners may have to have the home deleaded promptly for full compliance. However, property owners will remain free of strict liability under the Lead Law for damages to a lead poisoned child.

For More Information

Childhood Lead Poisoning Prevention Program (CLPPP)

Massachusetts Department of Public Health

470 Atlantic Ave., Second Floor Boston, MA 02210

1-800-532-9571 or 617-753-8400

To receive these materials, mail this list to CLPPP
with your requests checked:

- ☐ The Risks of Renovation
- ☐ Lead Poisoning: Facts & Guidelines
- ☐ A Cleaning Guide for Temporarily Reducing Lead Hazards
- ☐ Deleading? Grants & Loans for Property Owners
1995 Resource Directory
- ☐ Interim Control of Lead Paint Hazards:
Guidelines for Tenants
- ☐ The Owner/Agent Low-Risk Deleading Package
- ☐ Deciding Whether to Encapsulate
- ☐ Care and Maintenance of Encapsulated Surfaces
- ☐ Encapsulants: Guidelines for Tenants and Property Owners
- ☐ Register of Approved Encapsulant Products
- ☐ Encapsulant Product Fact Sheets
- ☐ Massachusetts Lead Law (M.G.L. c. 111 §§ 189A-199B)
- ☐ Lead Poisoning Prevention and Control Regulations
(105 CMR 460.000)
- ☐ List of Licensed Deleaders
- ☐ List of Licensed Lead Inspectors

Name _____

Address _____



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470 Atlantic Ave., Second Floor

Boston, MA 02210

www.magnet.state.ma.us/dph

